

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
OCTOBER 27, 2014
COUNCIL CONVENED AT 6:30 P.M.**

1. The invocation was given by Chaplain Kenneth Hendley, Free Will Baptist Church and the Pledge of Allegiance was led by City Council Page Beatriz Medrano.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, Beck, Chiarelli -12-

Absent: Hill, McNeely -2-
3. Alderman Hervey moved to accept the Journal of Proceedings of October 20, 2014 seconded by Alderman Beck.

Alderman Hervey made a motion to reconsider item #36 of the Journal of Proceedings from October 20, 2014, the denial of the liquor to Fadi Hamed d/b/a 4Less, Inc. for the sale of packaged liquor in conjunction with a gas station and convenience store in a C-3, Commercial General Zoning District at 4315 Auburn Street, seconded by Alderman Thompson-Kelly. MOTION PREVAILED (Ald. Hill, McNeely absent).

2014-175-O

Alderman Hervey moved for the adoption of an Ordinance amending Chapter 3, Section 3-56, Article III of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Fadi Hamed d/b/a 4Less, Inc for the sale of packaged liquor in conjunction with a gas station and convenience store in a C-3, Commercial General Zoning District at 4315 Auburn Street, seconded by Alderman Beck. Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. Submittal of a revised landscaping plan to include sight-obscuring fence
4. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
5. That the windows shall not be covered with bars or other devices that block the window.
6. The sale of water pipes and "huka" or "hookah" pipes are prohibited
7. There shall be no sales of single servings of alcohol of 12 ounces or less.
8. Window display signage is limited to 35% of window area.

Approval is based on the Findings of Facts. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Beck, Chiarelli -8-
Nays: Oddo, Newburg, Beach, Elyea -4-
Absent: Hill, McNeely -2-

The Journal of Proceedings as amended was placed up for passage. MOTION PREAILED (Ald. Hill, McNeely absent).

PUBLIC PARTICIPATION

4. John Brantley urged everyone to work together to transform Rockford and thanked the Park District and other sponsors for making it possible for his youth group to attend events this past weekend.
5. Garry Cacciapaglia spoke in support of the Head Start Program and he commended its employees who continue to work while their contract is still in negotiations and not receiving a pay increase since 2008.
6. Christina Loudermilk spoke in support for the Head Start staff and urged council members to consider investing in that program and its employees.
7. Ed Sadlowski spoke in support of the Head Start Program and mentioned collecting over six hundred signatures from Rockford residents affirming their desire for the city to move in the direction of funding the Head Start Program again.

PETITIONS AND COMMUNICATIONS

8. Alderman Thompson-Kelly submitted a Memorandum regarding sidewalks on Auburn Street. Referred to Public Works and Legal Department.
9. Alderman Thompson-Kelly submitted a Memorandum regarding repair and/or replacement of sidewalks along the walking bus route for Lewis Lemon and Ellis Elementary Schools. Referred to Finance and Personnel Committee.
10. Alderman Thompson-Kelly submitted an email from a Rockford resident concerning wild animals living in vacant houses near her home on North Independence. Referred to Community Services Division.
11. Alderman Durkee submitted a Memorandum from Jovita Donahue, regarding Mega Fabrication Inc. (W.A. Whitney Company) Mortgage Subordination Request. Referred to Planning and Development Committee.
12. Alderman Durkee submitted a Memorandum from Todd Cagnoni, regarding a Response to Request for Proposals for 123 South Main Street and proposed redevelopment of 123 South Main and 134 North Main Street (including 226 North Main Street). Referred to Planning and Development Committee – November 10, 2014 meeting.

13. Alderman Chiarelli submitted a Memorandum from Kelly Nokes, Assistant Operations Manager for Odd/Even Parking Ordinance Review. Referred to Code and Regulation Committee.
14. Alderman Chiarelli submitted the Zoning Board of Appeals minutes for the meeting held on October 21, 2014. Referred to Code and Regulation Committee.
15. Alderman Chiarelli submitted the Liquor Advisory Board minutes for the meeting held on October 21, 2014. Referred to Code and Regulation Committee.
16. Alderman Beck submitted a memorandum from Matt Vitner, City Engineer, regarding City-State Agreement with the Illinois Department of Transportation IL 251 Median Curb and Gutter (Olive Street – 600 ft. North) Referred to Finance and Personnel Committee

NEW COMMITTEE REPORTS

17. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Sale of Property at 219 North Johnston Avenue. be made to the sole bidder, Kenneth Bagley and Candice Donaldson, of Rockford, Illinois for their bid of \$460.00. LAID OVER.
18. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Sale of Property at 617 North Greenvew Avenue be made to the sole bidder, Kenneth Bagley and Candice Donaldson, of Rockford, Illinois for their bid of \$460.00. LAID OVER.
19. Alderman Beck read a Finance and Personnel Committee Report recommending approval of the Fine Reduction request for 1112 Irving Ave. in Rockford, Illinois to \$1,000.00 upon compliance with the original order to repair by June 30, 2015. Any outstanding water, demo, board-up, clean-up and mow liens must be paid. LAID OVER.
20. Alderman Beck read a Finance and Personnel Committee Report recommending approval of the Fine Reduction request for 1220 North Main Street in Rockford, Illinois to \$1,000.00 upon compliance with the original order to repair by June 30, 2015. Any outstanding water, demo, board-up, clean-up and mow liens must be paid. LAID OVER.
21. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of October 27, 2014 in the amount of \$5,468,571.03. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -10-
Nays: McNamara, Frost -2-
Absent: Hill, McNeely -2-
22. Alderman Chiarelli read a Code and Regulation Committee Report recommending the approval of the Final Plat 7 of Harrison Park Subdivision located at 5711 Wansford Way, south of Harrison Avenue LAID OVER.

2014-277CR

23. Alderman Chiarelli read a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the request for the Sale of Liquor by the drink in conjunction with a restaurant and bar in the name of **Richard M. Lewis d/b/a Pearl Bistro** in a C-3, General Commercial Zoning District at 6876 Spring Creek Road. Approval is subject to the following conditions:

1. Meeting all applicable Building, Fire and Liquor Codes
2. The sale of liquor by the drink is in conjunction with a restaurant
3. The use shall not have a cover charge
4. The use shall not have a dance floor
5. The use shall not have any DJs
6. The use shall not have any live entertainment with the exception of periodic music performance not to exceed 5 musicians
7. The use shall not operate as a nightclub

Approval is based on the Findings of Fact. The Legal Director shall prepare the necessary ordinance.

Alderman Chiarelli moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. Hill, McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

24. Alderman Chiarelli read a Code and Regulation Committee Report recommending that NO ACTION be taken on the City Council and Committee Meeting Structure proposals and refers the five (5) proposals to City Council for presentation and discussion. LAID OVER.
25. Alderman Durkee read a Planning and Development Committee recommending approval of the Comprehensive Community Solutions- Amendment to the Development Agreement for 2028 Elm Street begs leave to report recommending approval. The Legal Director shall prepare the appropriate ordinance. LAID OVER.
26. Alderman Durkee read a Planning and Development Committee Report recommending approval of CDBG assistance not to exceed \$25,000 to Judy and Dave Bieck/Candle Crest (1418 20th Street). The Legal Director shall prepare the appropriate ordinance. LAID OVER.

OFFICERS REPORTS

27. Mayor Morrissey thanked council for their participation in the budget meeting last Saturday and mentioned the topic of council and committee structure will be discussed at council next week.

28. Mayor Morrissey reported he accepted an award during his recent trip on behalf of the City of Rockford recognizing our community for the great partnership we have developed with Rockford Housing Authority and Etsy. He mentioned participating in a conference relating to global efforts and will follow-up here with members of the community to discussion those strategies.
29. Mayor Morrissey announced tomorrow, October 28th, the City will be hosting an interactive bus tour for council members and community leaders, relating to the new consolidated plan, updated comprehensive plan and capital improvement plan. The tour will depart from RMAP at 8:30 am and will highlight improvements made and identify opportunities and challenges within our community, returning to RMAP at 12:00 pm (noon) with lunch and a debriefing.
30. Mayor Morrissey noted the concerns made during public comment tonight regarding the Head Start Program and explained that budget challenges make it difficult to continue these types of investments that we've made in the past with some programs. He will continue to work with staff and community members to discuss every possible option with Head Start and early learning in our community.
31. Mayor Morrissey reported speaking with Congresswomen Cheri Bustos about disparaging comments a staffer had made about the City of Rockford. She informed Mayor Morrissey the staffer submitted her resignation and is no longer employed by her. He appreciated her sincere apology.
33. Alderman Hervey announced the 5th Ward meeting will be held this Thursday, October 30th at 6:00 pm at the Montague Branch Library. The fire department will make a presentation about winter preparedness and as well as discussion about the street and alley resurfacing program for next year.
34. Alderman Thompson-Kelly thanked public works staff for assisting with clean-up efforts in her ward and thanked the West Gateway Coalition for another clean-up this past weekend.
35. Alderman Durkee reported the CDBG Block Grant was laid over at committee tonight because of budgetary discussion about demolitions. He urged council members to look at the budget and direct any questions or concerns to staff. The item may be coming to council with a rule suspension because of timing issues.
36. Alderman McNamara asked when a meeting will be scheduled to discuss the proposed council and committee structure.

Alderman Chiarelli advised a committee report regarding that matter was read in and laid over for discussion at city council next week.
37. Alderman Hervey asked if council members could receive the entire list of commercial and residential properties that qualify for demolition, including an update of structures already torn down and structures identified and funded for demolition, segregated by residential, commercial and by ward.

38. Alderman Chiarelli announced the 14th Ward meeting will be held tomorrow, October 28th at the Alpine Lutheran Church at 6:00 pm. Assistant Deputy Chief Pann, Public Works Director Tim Hanson and Community/Economic Director Todd Cagnoni will be participating at the meeting.

UNFINISHED BUSINESS

2014-176-O

40. Alderman Durkee moved the adoption of an Ordinance for the Redevelopment Agreement between the City of Rockford and Midtown Westtown Lofts, LLC for the properties at 403, 407, 409, 411, 414, 416 7th Street and 1019 3rd Avenue. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-

Nays: -0-

Absent: Hill, McNeely -2-

2014-278CR

41. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending approval of the annexation of 5208 Sherwood Forest Road. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-

Nays: -0-

Absent: Hill, McNeely -2-

2014-279CR

42. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending approval of the annexation of 2036 New Milford School Road. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-

Nays: -0-

Absent: Hill, McNeely -2-

2014-280CR

43. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending the approval of the attached amendment(s) to Chapter 13, Section 13-23 of the City of Rockford Code of Ordinances. Organization of Departments; Qualifications of Police Chaplains. The Legal Director shall prepare the necessary ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014- 281CR

44. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance that traffic on Crosby Street be required to Stop prior to entering the intersection of Eastridge Drive. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-282CR

45. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing residential parking in Municipal Parking Lot 30 near the intersection of 2nd Street and Market Street. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-283CR

46. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing "No Parking from 7:30 am – 3:30 pm, Monday through Friday" on the north side of Hill Street from 130 feet west of Madison Street to 215 feet west of Madison Street. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-284CR

47. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending that the Legal Director be instructed to draw an Ordinance establishing fifteen (15) "3-Hour" parking spaces in Municipal Parking Lot 2 near the intersection of Walnut Street and Madison Street. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-285CR

48. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report recommending that "No Action" be taken on the following items:

1. Request to establish a "2-Hour" parking restriction on the west side of Main Street from Mulberry Street to Jefferson Street, thus repealing the existing "1-Hour" parking restriction on the west side of Main Street from Mulberry Street to Jefferson Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-286CR

49. Alderman Chiarelli moved the adoption of a Code and Regulation Committee Report SUSTAINING the Liquor and Tobacco Advisory Board, thereby recommending that City Council DENY the sale of packaged liquor with live entertainment, dancing and video gaming and APPROVE the sale of liquor by the drink in conjunction with live entertainment, dancing and video gaming in the name of **Steven LeRoy Swoboda/Swoboda Entertainment, Inc. d/b/a as Big Foot Gentlemen's Club** in a C-2, Limited Commercial Zoning District at 1608 South Alpine Road. Approval subject to conditions:

1. Must meet all applicable liquor codes.
2. Must meet all Building and Fire Codes.
3. Removal of roof sign and all other non-conforming signs and any future signage must comply with the current sign ordinance.
4. Landscaping improvements must be in accordance with the submitted site plan Exhibit D.
5. That the windows shall not be covered with bars or other devices that block the windows.
6. Window display signage is limited to 35% of window area.
7. The sale of liquor is limited to indoors.
8. Security must be provided at a minimum of one (1) per fifty (50) patrons by a State of Illinois licensed Security Firm.

The Legal Director is hereby instructed to prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: McNamara, Frost, Thompson-Kelly, Oddo, Newburg, Elyea, Beck, Chiarelli -8-
Nays: Durkee, Getchius, Hervey, Beach -4-

Absent: Hill, McNeely -2-

2014-287CR

50. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the request to submit an application for the Technical Assistance Scholarship Program through the Center for Community Progress utilizing \$10,000 of Federal CDBG as the required match, should the technical assistance be awarded. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-

Nays: -0-

Absent: Hill, McNeely -2-

2014-282R

51. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a resolution authorizing the Mayor or Finance Director to execute an agreement for Keith Creek Stabilization – 2014 with Copenhaver Construction, of Gilberts, Illinois for their bid of \$288,121.00. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-

Nays: -0-

Absent: Hill, McNeely -2-

52. Alderman Beck moved for the adoption of a re-appointment to the Liquor and Tobacco Advisory Board and Zoning Board of Appeals; Mr. Craig Sockwell, term ending June 2018. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-

Nays: -0-

Absent: Hill, McNeely -2-

53. Alderman Beck moved for the adoption of a re-appointment to the Liquor and Tobacco Advisory Board and Zoning Board of Appeals; Ms. Alicia (DiBenedetto) Neubauer, term ending June 2019. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-

Nays: -0-

Absent: Hill, McNeely -2-

54. Alderman Beck moved for the adoption of a re-appointment to the Electrical Commission; Division Chief Matt Knott, term ending June 2015. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

55. Alderman Beck moved for the adoption of a re-appointment to the Electrical Commission; Mr. Charles Laskonis, term ending June 2015. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, Beck, Chiarelli -11-
Nays: Hervey -1-
Absent: Hill, McNeely -2-

56. Alderman Beck moved for the adoption of a re-appointment to the Library Board; Mr. James O'Hagan, term ending June 2017. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, Beck, Chiarelli -11-
Nays: Hervey -1-
Absent: Hill, McNeely -2-

MOTIONS AND RESOLUTIONS

57. Alderman Beck moved the adoption of a Resolution authorizing the Mayor or Finance Director to execute an agreement for Main Street Gateway Arches with Sjostrom & Sons, Inc., of Rockford, Illinois for their total bid of \$255,500.00. The funding source is Sales Tax.

Alderman Beck made a motion to hold out the resolution. The resolution was HELD OUT.

2014-283R

58. Alderman Beck moved the adoption of a Resolution authorizing the Mayor or Finance Director to execute an agreement for Municipal Parking Lot and Sidewalk Snow Removal to Accent Midwest Asphalt, of Rockford, Illinois for their bid of \$67.25/hour for plowing and \$65.00/hour for salting. The total estimated value of the contract is \$75,000.00. The funding source is Parking Fund. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo,
Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-284R

59. Alderman Beck moved the adoption of a Resolution authorizing the Mayor or Finance Director to execute an agreement for Demolition Group 2 Batch 7A (4) Properties to Northern Illinois Service, of Rockford, Illinois for their total bid of \$29,550.00. The funding source is Construction Services. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-285R

60. Alderman Beck moved the adoption of a Resolution authorizing the Mayor or Finance Director to execute an agreement for Tallwood Ave. Culvert Rehabilitation to N-TRAK Group, of Loves Park, Illinois for their total bid of \$54,482.00. The funding source is Sales Tax. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-286R

61. Alderman Beck moved the adoption of a Resolution authorizing the Mayor or Finance Director to execute an agreement for Head Start Bus Lease Agreement to Midwest Transit, of Kankakee, Illinois for an annual payment of \$23,078.00 for 2 buses for five years. The funding source is Head Start grant awarded from the Department of Health & Human Services/Office of Head Start. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-287R

62. Alderman Beck moved the adoption of a Resolution authorizing the Mayor or Finance Director to execute an agreement for Vehicle Exhaust System for New Fire Station 3 to Midwest Air Pro, Inc., of Chicago, Illinois in the amount of \$77,675.00. The funding source is Bond Proceeds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-288R

63. Alderman Beck moved the adoption of a Resolution authorizing the Mayor or Finance Director to execute an agreement for an Engineering Agreement: Stormwater Environmental Consulting Services to Fehr Graham to perform various services under the National Pollutant Discharge Elimination System permit in the amount of \$87,420.00. The funding source is General and Sales Tax. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-

Absent: Hill, McNeely -2-

2014-289R

64. Alderman Beck moved the adoption of a Resolution, by the City of Rockford, a municipal corporation of the County of Winnebago, that notice, in accordance with 35 Illinois Compiled Statutes 200/21-95 is hereby given to the Supervisor of Assessments, the County Collector and the County Clerk of Winnebago County that the previous and current year's tax bills for these parcels of real property shall be waived and null and void and all liens for said taxes be extinguished. (401-03 7th St., 405 7th St., 407 7th St., 409 7th St., 411 7th St., 414 7th Street, 416 7th St., and 1019 3rd Ave.) MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-290R

65. Alderman Beck moved the adoption of a Resolution and Declaration of Intent Equipment Leases with US Bancorp for Vehicles and Equipment in the amount of \$1,684,800, authorizing the Mayor or Finance Director to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-291R

66. Alderman Beck moved the adoption of a Resolution and Declaration of Intent Equipment Leases with US Bancorp for Fire Engines in the amount of \$1,160,000, authorizing the Mayor or Finance Director to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

2014-292R

67. Alderman Beck moved the adoption of a Resolution of the Governing Body of the City of Rockford authorizing the execution and delivery of a Master Equipment Lease-Purchase Agreement with PNC Equipment Finance, LLC, as lessor, in the initial amount of \$548,876.00 for ambulances and related equipment and \$1,025,000 for marked and unmarked squads and related equipment, and separate lease schedules thereto and

escrow agreement for the acquisition, purchase, financing and leasing of certain equipment within the terms herein provided; authorizing the execution and delivery of other documents required in connection therewith; and authorizing all other actions necessary to the consummation of the transactions contemplated by this resolution. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

NEW BUSINESS

68. Alderman Chiarelli introduced and read an Ordinance approving the annexation for 5208 Sherwood Forest Road. LAID OVER.
69. Alderman Chiarelli introduced and read an Ordinance approving the annexation for 2036 New Milford School Road. LAID OVER.
70. Alderman Chiarelli introduced and read an Ordinance for amendment(s) to Chapter 13, Section 13-23 of the City of Rockford Code of Ordinances. Organization of Departments; Qualifications of Police Chaplains. LAID OVER.
71. Alderman Chiarelli introduced and read an Ordinance amending Chapter 16, Schedule Section 291 of the Code of Ordinances of the City of Rockford to add the following:
- Traffic on Crosby Street be required to Stop prior to entering the intersection of Eastridge Drive.
- LAID OVER.
72. Alderman Chiarelli introduced and read an Ordinance amending Chapter 16, Schedule Section 311 of the Code of Ordinances of the City of Rockford to add the following:
- Residential Parking in Municipal Parking Lot 30 near the intersection of 2nd Street and Market Street.
- LAID OVER.
73. Alderman Chiarelli introduced and read an Ordinance amending Chapter 16, Schedule Section 281 of the Code of Ordinances of the City of Rockford to add the following:
- No Parking from 7:30 a.m. – 3:30 p.m. Monday through Friday on the north side of Hill Street from 130' west of Madison Street to 215' west of Madison Street.
- LAID OVER.

74. Alderman Chiarelli introduced and read an Ordinance amending Chapter 16, Schedule Section 286 of the Code of Ordinances of the City of Rockford to add the following:

Establishing fifteen (15) 3-hour parking spaces in Municipal Parking Lot 2 near the intersection of Walnut Street and Madison Street.

LAID OVER.

75. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56, Article III of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council consent and advice for the Liquor Commissioner to approve the following amendments for the following establishment:

Steven LeRoy Swoboda/Swoboda Entertainment, Inc., dba as Big Foot Gentlemen's Club for the sale of liquor by the drink in conjunction with live entertainment, dancing and video gaming in the name of in a C-2, Limited Commercial Zoning District at 1608 South Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Liquor codes
2. Must meet all Building and Fire Codes
3. Removal of roof sign and all other non-conforming signs and any future signage must comply with the current sign ordinance
4. Landscaping improvements must be in accordance with the submitted site plan Exhibit D
5. That the windows shall not be covered with bars or other devices that block the windows
6. Window display signage is limited to 35% of window area
7. The sale of liquor is limited to indoors
8. Security must be provided at a minimum of one (1) per fifty (50) patrons by a State of Illinois licensed Security Firm

LAID OVER.

76. Alderman Chiarelli introduced and read an Ordinance for the Vacation Right-of-Way of 9th Avenue from 24th Street east of Rockford Public School District #205 property as well as the alley adjacent to the said portion of 9th Avenue. Subject to conditions:

1. There is existing sanitary sewer present within this vacated portion of 9th Avenue. An access and construction easement shall be granted to the Rock River Water Reclamation District for the existing sanitary sewer lines
2. There are existing Commonwealth Edison facilities present with this vacated portion of the alleyway. An access and construction easement shall be granted to Commonwealth Edison for the existing facilities unless the property owner requests abandonment and pays for relocation as necessary

3. No easements for utilities other than the easement above shall remain on the property for utility purposes

LAID OVER.

2014-177-O

77. Alderman Chiarelli introduced and read an Ordinance amending Chapter 3, Section 3-56, Article III of the code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to approve the following amendments for the following establishment:

Richard M. Lewis d/b/a Pearl Bistro for the sale of liquor by the drink in conjunction with a restaurant and bar in a C-3, General Commercial Zoning District at 6876 Spring Creek Road. Approval is subject to the following conditions.

1. Meeting all applicable Building, Fire and Liquor Codes
2. The sale of liquor by the drink is in conjunction with a restaurant
3. The use shall not have a cover charge
4. The use shall not have a dance floor
5. The use shall not have any DJs
6. The use shall not have any live entertainment with the exception of periodic music performance not to exceed 5 musicians
7. The use shall not operate as a nightclub

Alderman Chiarelli moved to suspend Rule 11, seconded by Alderman Beck. MOTION PREVAILED (Ald. Hill, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Getchius, McNamara, Frost, Hervey, Thompson-Kelly, Oddo, Newburg, Beach, Elyea, Beck, Chiarelli -12-
Nays: -0-
Absent: Hill, McNeely -2-

PRESENTATION

78. Mayor Morrissey introduced Spencer Stern, Stern Consulting, who gave a presentation on the 3-1-1 Project (Information Line).
79. Upon motion duly made and seconded, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
November 3, 2014
6:00 P.M.
AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing

I. PUBLIC HEARINGS

1. Annexation - 5208 Sherwood Forest Road.
2. Consolidated Plan 2015-2019.

- Public Participation
- Petitions and Communications
- Proclamations
- Committee Reports
- Officers Reports

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER OCTOBER 27, 2014

1. Beck - Finance and Personnel - Recommending the award for Sale of Property at 219 North Johnston Avenue. be made to the sole bidder, Kenneth Bagley and Candice Donaldson, of Rockford, Illinois for their bid of \$460.00.
2. Beck - Finance and Personnel - Recommending the award for Sale of Property at 617 North Greenview Avenue be made to the sole bidder, Kenneth Bagley and Candice Donaldson, of Rockford, Illinois for their bid of \$460.00.
3. Beck - Finance and Personnel - Recommending approval of the Fine Reduction request for 1112 Irving Ave. in Rockford, Illinois to \$1,000.00 upon compliance with the original order to repair by June 30, 2015. Any outstanding water, demo, board-up, clean-up and mow liens must be paid.
4. Beck - Finance and Personnel - Recommending approval of the Fine Reduction request for 1220 North Main Street in Rockford, Illinois to \$1,000.00 upon compliance with the

original order to repair by June 30, 2015. Any outstanding water, demo, board-up, clean-up and mow liens must be paid.

5. Chiarelli - Code and Regulation - Recommending the approval of the Final Plat 7 of Harrison Park Subdivision located at 5711 Wansford Way, south of Harrison Avenue
6. Chiarelli - Code and Regulation - Recommending that NO ACTION be taken on the City Council and Committee Meeting Structure proposals and refers the five (5) proposals to City Council for presentation and discussion.
7. Durkee - Planning and Development – Recommending approval of the Comprehensive Community Solutions- Amendment to the Development Agreement for 2028 Elm Street begs leave to report recommending approval. The Legal Director shall prepare the appropriate ordinance.
8. Durkee - Planning and Development - Recommending approval of CDBG assistance not to exceed \$25,0000 to Judy and Dave Bieck/Candle Crest (1418 20th Street). The Legal Director shall prepare the appropriate ordinance.

III. ORDINANCES LAID OVER OCTOBER 27, 2014

1. Chiarelli - Ordinance - Approving the annexation for 5208 Sherwood Forest Road.
2. Chiarelli - Ordinance - Approving the annexation for 2036 New Milford School Road.
3. Chiarelli - Ordinance – Approving amendment(s) to Chapter 13, Section 13-23 of the City of Rockford Code of Ordinances. Organization of Departments; Qualifications of Police Chaplains.

4. Chiarelli - Ordinance - Amending Chapter 16, Schedule Section 291 of the Code of Ordinances of the City of Rockford to add the following:

Traffic on Crosby Street be required to Stop prior to entering the intersection of Eastridge Drive.

5. Chiarelli - Ordinance - Amending Chapter 16, Schedule Section 311 of the Code of Ordinances of the City of Rockford to add the following:

Residential Parking in Municipal Parking Lot 30 near the intersection of 2nd Street and Market Street.

6. Chiarelli - Ordinance - Amending Chapter 16, Schedule Section 281 of the Code of Ordinances of the City of Rockford to add the following:

No Parking from 7:30 a.m. – 3:30 p.m. Monday through Friday on the north side of Hill Street from 130' west of Madison Street to 215' west of Madison Street.

7. Chiarelli - Ordinance - Amending Chapter 16, Schedule Section 286 of the Code of Ordinances of the City of Rockford to add the following:

Establishing fifteen (15) 3-hour parking spaces in Municipal Parking Lot 2 near the intersection of Walnut Street and Madison Street.

8. Chiarelli - Ordinance - Amending Chapter 3, Section 3-56, Article III of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor and Tobacco Ordinance having been met, said amendments shall serve as City Council consent and advice for the Liquor Commissioner to approve the following amendments for the following establishment:

Steven LeRoy Swoboda/Swoboda Entertainment, Inc., dba as Big Foot Gentlemen's Club for the sale of liquor by the drink in conjunction with live entertainment, dancing and video gaming in the name of in a C-2, Limited Commercial Zoning District at 1608 South Alpine Road. Approval is subject to the following conditions:

1. Must meet all applicable Liquor codes
 2. Must meet all Building and Fire Codes
 3. Removal of roof sign and all other non-conforming signs and any future signage must comply with the current sign ordinance
 4. Landscaping improvements must be in accordance with the submitted site plan Exhibit D
 5. That the windows shall not be covered with bars or other devices that block the windows
 6. Window display signage is limited to 35% of window area
 7. The sale of liquor is limited to indoors
 8. Security must be provided at a minimum of one (1) per fifty (50) patrons by a State of Illinois licensed Security Firm
9. Chiarelli - Ordinance - Vacation Right-of-Way of 9th Avenue from 24th Street east of Rockford Public School District #205 property as well as the alley adjacent to the said portion of 9th Avenue. Subject to conditions:
 1. There is existing sanitary sewer present within this vacated portion of 9th Avenue. An access and construction easement shall be granted to the Rock River Water Reclamation District for the existing sanitary sewer lines
 2. There are existing Commonwealth Edison facilities present with this vacated portion of the alleyway. An access and construction easement shall be granted to Commonwealth Edison for the existing facilities unless the property owner requests abandonment and pays for relocation as necessary
 3. No easements for utilities other than the easement above shall remain on the property for utility purposes

IV. MOTIONS AND RESOLUTIONS HELD OUT OCTOBER 27, 2014

1. Beck - Resolution - Authorizing the Mayor or Finance Director to execute an agreement for Main Street Gateway Arches with Sjostrom & Sons, Inc., of Rockford, Illinois for their total bid of \$255,500.00. The funding source is Sales Tax.

V. APPOINTMENTS LAID OVER OCTOBER 27, 2014

- 1.* Re-appointment to the Library Board; Mr. Edward Geeser, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on November 10, 2014).
- 2.* Re-appointment to the Library Board; Mr. Brad Long, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on November 10, 2014).
- 3.* Appointment to the Electrical Commission; Mr. Andy Kwiatkowski, term ending June 2017. (Pursuant to Rule 18, this item is up for passage on November 24, 2014).
- 4.* Appointment to the Electrical Commission; Mr. Mark Primm, terms ending June 2017. (Pursuant to Rule 18, this item is up for passage on November 24, 2014).

VI. NEW BUSINESS (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

1. Durkee – Ordinance -Approve the Comprehensive Community Solutions- Amendment to the Development Agreement for 2028 Elm Street begs leave to report recommending approval.
 2. Durkee – Ordinance – Approve the CDBG assistance not to exceed \$25,0000 to Judy and Dave Bieck/Candle Crest (1418 20th Street).
- * same action taken before
- Adjournment

* * * * *

POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE
Monday, November 3, 2014, 4:45 p.m.
Conference Room A, City Hall 2nd floor (north room)
AMENDED AGENDA

1. C & R 14-201 Odd/Even Parking Ordinance Review
2. C & R 14-202 Variation to increase the number of allowable wall signs from two (2) to three (3) in a C-3, General Commercial Zoning District at 7310 Walton Street (Q.T. Sign, Inc./Danielle Wagner – Applicant)
3. C & R 14-203 Zoning Text Amendments Conflict with Private Agreements and Covenants, Item 1, and 2 (City of Rockford – Applicant)
4. C & R 14-204 Special Use Permit for Planned Unit Development consisting of a hotel, restaurants, private museum, large entertainment and meeting venue, and an atrium and conference center in a C-4, Urban Mixed-Use Zoning District at 416 South Main Street (Gorman & Company, Inc., Ben Marshall – Applicant)
5. C & R 14-195 014-LTAB-032 Request for the Sale of Packaged Liquor and Sale of Tobacco Products in conjunction with a gas station and convenience store in a C-2, Limited Commercial Zoning District at 3005 North Rockton Avenue (RKH Gas Corp.dba RKH Gas Corp-Applicant)
6. C & R 14-196 014-LTAB-044 Request for the Sale of Packaged Liquor in conjunction with a convenience store and gas station in a C-2, Limited Commercial Zoning District at 3819 Broadway (Mac's Convenience Store LLC dba Circle K-Applicant)
7. C & R 14-197 014-LTAB-045 Request for the Sale of Packaged Liquor in conjunction with a convenience store and gas station in a C-1, Limited Office Zoning District at 2225 West Riverside Boulevard (Mac's Convenience Store LLC dba Circle K-Applicant)
8. C & R 14-198 014-LTAB-046 Request for the Sale of Tobacco Products in conjunction with a gas station in a C-3, General Commercial Zoning District at 3299 South Alpine Road (Robbin Madhok dba Magnum Oil 1, Inc., - Applicant)
9. C & R 14-199 014-LTAB-033 Request for the Sale of Packaged Liquor with a gas station in a C-3, General Commercial Zoning District at 3299 South Alpine Road (Robbin Madhok dba Magnum Oil 1, Inc., - Applicant)

10. C & R 14-200 014-LTAB-047 Modification of existing Liquor License to extend business hours to Monday through Thursday, 10 a.m. to Midnight, Friday and Saturday 10 a.m. to 2 a.m.; and Saturday 11 a.m. to Midnight in a C-2, Limited Commercial Zoning District at 3840 Broadway
11. C & R 205 Closed Session for Purposes of Pending Litigation

FINANCE AND PERSONNEL COMMITTEE

Monday, November 3, 2014, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: 24th Street Demolitions – 2014 to N-TRAK Group LLC, of Loves Park, Illinois for their bid of \$101,150.10
 - B. Award of Bid: Bituminous Patching – 2014 to Stenstrom Excavation, of Rockford, Illinois for a not-to-exceed cost of \$500,000.00
 - C. Change Order: City-Wide Crack Sealing – 2014 with Complete Asphalt Service Company for an additional \$35,000.00 for a new total of \$250,000.00 (\$51,000 is reimbursable by the Village of Machesney Park) – **Info only**
 - D. Change Order: Broadway and Auburn Street Resurfacing – with T.C.I. Concrete, of Rockford, Illinois for an additional \$155,000.00 for a new not-to-exceed total of \$1,618,946.93
 - E. Change Order: City-Wide Street Repairs Group #3 with Stenstrom Excavation for an additional \$45,000.00 for a new not-to-exceed total of \$934,647.69
 - F. Award of Non-Competitive Contract: Harrison Avenue Reconstruction – Electric Transmission Line Relocation to Commonwealth Edison in the amount of \$300,000 – Laid over 10/27
 - G. Vouchers in the amount of \$4,437,673.46
2. City-State Agreement: Reimbursement for IL 251 Median Curb and Gutter between the City of Rockford and the Illinois Department of Transportation (IDOT) for reimbursement and maintenance agreement for the repairs done
3. 2014 Property Tax Levy: Recommending that the Levy Ordinance be prepared by the Finance Department in accordance with the memorandum from the Finance Director on November 3, 2014, and accepted in the amount of \$53,788,526 for the levies in the Corporate, Police Protection, Police Pension, School Crossing Guards, Fire Protection, Fire Pension, Street and Bridge, Judgments, Sanitation, Tuberculosis Sanitarium, Public Library,

Public Library Maintenance of Buildings, Illinois Municipal Retirement, Unemployment Compensation, Worker's Compensation, and Auditing Funds

4. 2014 Street and Bridge Levy: Recommending that the City of Rockford adopt an annual levy of .10% of the value as equalized or assessed by the Department of Revenue for street and bridge purposes

PLANNING AND DEVELOPMENT COMMITTEE

Monday, November 3, 2014, 5:00 p.m.

CD Conference Rm., City Hall 2nd floor

AGENDA

1. Memorandum from Vicki Manson regarding the 2015-2019 Draft Consolidated Plan and 2015 Annual Plan Community Development Block Grant; HOME Investment Partnership; Emergency Solutions Grants Program.
2. Memorandum from Mark Williams regarding the Update on Rockford Enterprise Zone Designation Application Process.
3. Memorandum from Jovita Donahue regarding Mega Fabrication Inc. (W.A. Whitney Co.) Mortgage Subordination Request.
4. Memorandum from Alderman Jamie Getchius regarding a Resolution for the Development of 134 N. Main Street. (Attached: Adaptive Reuse Development Project for 134 N. Main Street Downtown, Rockford, IL Presented by Urban Equity Properties).

LEGISLATIVE LOBBYING COMMITTEE

Monday, November 3, 2014, ____ p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

No Meeting Scheduled.

The City of Rockford intends to comply with the intent and spirit of the Americans With Disabilities Act. If a sign language interpreter, personal p.a. system, or other special accommodations are needed, please call the Legal Department at 967-6797 at least 48 hours in advance, so we can be prepared to assist you. For TTY, please call 987-5718, and staff in the Mayor's Office will advise the Legal Department of the request.